



PUD Amendment Report

Case #Z-792-05-24

Planning Commission Date: September 3, 2024

GENERAL INFORMATION

PROJECT NAME	One Buckley
LOCATION	Northeast corner of East 120 th Avenue and Buckley Road
SITE SIZE	34.11 Acres
CURRENT ZONING	PUD (Cutler Farms Commercial)
APPLICANT	Farnsworth Group
OWNER	One Buckley LLC.
CASE PLANNER	Dalton Guerra

REQUEST

The request is to amend the existing PUD Zone Document to create three new planning areas, allow additional commercial uses, allow residential uses, establish bulk standards, and create design standards.

PUD ZONING

The zoning of a property determines what uses are allowed/not allowed and sets bulk development standards such as setbacks, lot size requirements, and maximum building heights. The City has a variety of straight zoning districts including residential districts, commercial districts, industrial districts. PUD Zoning is a zoning district that allows specific uses and standards that a straight zone district would not allow. The intent of the PUD Zoning is to support a unique development that would not be feasible within a straight zoning district. PUD Zoning is approved by the City Council in the form of an ordinance and “runs with the land” meaning that the zoning for a parcel remains in effect unless it is modified by a subsequent PUD Amendment.

BACKGROUND AND CASE HISTORY

The original Cutler Farms Commercial PUD Zone Document was approved by City Council in 2005. The Cutler Farms Commercial PUD contains one 34-acre planning area that only allows commercial, private open space, church, and school land uses. Residential is not an allowed use under the current PUD.

The proposed amendment will create three planning areas: A, B, and C. Planning Area A is 15 acres located on the hard corner of East 120th Avenue and Buckley Road. Planning Area A has a

commercial designation and will not allow residential uses. Planning Area B is 15 acres and is designated specifically for residential uses. The residential land use types allowed include single-family attached, single-family detached, and multi-family. Planning Area C is 3.8 acres located along Buckley Road and is designated for both residential and commercial. Planning Area C allows fewer commercial uses than Planning Area A but allows the same residential uses as Planning Area B with the addition of vertical mixed-use products.

Each planning area has specific bulk standards for the land uses that are allowed within the planning area. These bulk standards include maximums and minimums for standards such as density, lot size, lot frontage, building height, and setbacks.

ADDITIONAL INFORMATION

In addition to the proposed planning areas, land uses, and bulk standards the applicant is also proposing a design standards document. Design standards are created to provide both guidelines and standards for development within a specific area. The guidelines and standards will address items such as architecture, landscaping, signage, walls, and lighting for both residential and commercial development. The design standards document will establish a consistent theme throughout the development by incorporating corresponding elements into the buildings, signage, landscaping, lighting, and amenity spaces.

COMPREHENSIVE PLAN (CP) CONSISTENCY

The subject property is designated on the Future Land Use Map as Commercial (Community Commercial Center). The proposed additional commercial land uses within the PUD are consistent with the Future Land Use designation of Commercial and a Community Commercial Center. High density residential is identified as an appropriate secondary use within the Commercial land use category. High density residential includes products such as townhomes, patio homes, lofts, and apartments. Community Commercial Centers provide retail and services that serve multiple neighborhoods and day-to-day needs and typically contain an anchor such as a grocery store. Community Commercial Centers can include a mix of uses including high-density residential. This case is supported by the following goals as outlined in the Commerce City Comprehensive Plan:

- Land Use and Growth (Goal LU 1.1) – Growth and Future Land Use Plan Consistency
 - The proposed land uses within the PUD Zone Document are consistent with the Future Land Use Plan designation of Commercial (Community Commercial Center) for this property.
- Land Use and Growth (Goal LU 3.2) – Traditional Mix of Uses in Neighborhoods
 - The proposed PUD will allow a combination of commercial and residential uses with multiple housing products.
- Land Use and Growth (Goal LU 3.6) – Northern Range Neighborhoods Strengthened
 - Development of this site with the proposed PUD and design standards will promote a commercial center, strong architecture and design, and complementary uses along the E-470 Corridor.
- Land Use and Growth (Goal LU 5.1) – Commercial Centers

- East 120th Avenue between Buckley and E-470 is identified as a Community Commercial Center. The proposed PUD would guide commercial development and a mixed-use center in this area.
- Economic Development (Goal ED 3.1) – New Centers with Emphasis on Commercial
 - This development will introduce a mixed-use product with commercial uses in an area designated as a Community Commercial Center. The proposed design standards will enhance the image and quality of the development that occurs.
- Economic Development (Goal ED 4.1) – Support Retail Development
 - Retail, grocery stores, and restaurants are allowed uses within the proposed PUD.
- Economic Development (Goal ED 4.3) – Retain Space for Retail Development
 - Planning Area A consists of 15 acres which is reserved for commercial development exclusively. Planning Area C is 3.8 acres which allows for both residential and commercial as well as vertical mixed-use.
- Housing and Neighborhoods (Goal HN 2.1) – Variety of Housing Types and Mixed-Uses within Neighborhoods
 - The allowed residential types within the PUD range include single-family detached, single-family attached, patio homes, townhomes, and multi-family apartments. Vertical mixed-use is also an allowed type within Planning Area C.
- Safety and Wellness (Goal SW 2.1) – Walkability Focus
 - The layout and design of the development as described in the design standards document will promote walkability and connections throughout the property.

PROJECT ANALYSIS

Site Overview

The subject property is approximately 34 acres. The site is bordered to the east by E-470 and to the north is a canal and a vacant property. To the south is vacant land that is zoned for commercial development along the frontage of East 120th Avenue. To the west is a small residential neighborhood within Adams County. The subject property is currently vacant.

Overall Analysis

The proposed PUD Amendment has been reviewed by the Development Review Team (DRT) including Planning, Public Works, Engineering, Farmers Reservoir Irrigation Company, E-470 Highway Authority, Brighton Fire Department, and South Adams County Water and Sanitation District. The DRT has reviewed the proposal against all relevant City standards and Land Development Code (LDC) requirements. There were no comments from referral agencies in opposition to the proposed PUD Amendment.

PUD ZONE DOCUMENT APPROVAL CRITERIA

A decision for this case must be based on the following criteria from Sec. 21-3251(3) of the Land Development Code. An application may be approved if:

Criteria (a): The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;

The allowable uses of commercial and residential within the proposed PUD are consistent with the policies and goals of the comprehensive plan as stated in this staff report and is consistent with the land use designation of Commercial (Community Commercial Center). Community Commercial Centers provide retail/services and can include a mix of uses including high-density residential.

Criteria (b): The PUD zone document is consistent with any previously reviewed PUD concept schematic;

Not applicable as there was no concept schematic reviewed for this property.

Criteria (c): The PUD addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments;

The mixture of uses between residential and commercial combined with the proposed design standards will create a unique development that would not otherwise be possible within straight zoning. The architecture, landscaping, signage, lighting, fencing standards will establish a unique theme for the development which is best accomplished through a PUD.

Criteria (d): The PUD complies with all applicable city standards not otherwise modified or waived by the city;

The proposed amendment has been reviewed by the Development Review Team and meets all applicable city standards as well as the Future Land Use Plan.

Criteria (e): The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;

The proposed layout and design standards provide connections between the planning areas with a goal of creating a walkable community. The applicant is proposing a pedestrian network that is interconnected between the residential planning areas as well as the commercial planning areas. The proposed vehicle access points off of Buckley Road and 120th Avenue line up with future and existing development in the area and have been reviewed by Commerce City Engineering.

Criteria (f): To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

The subject property is currently vacant with vacant property to the north and vacant land to the south that is zoned for commercial and residential. The proposed PUD would allow commercial uses along E 120th Ave and Buckley Road which will be consistent with the future development south of E 120th Ave. The northern access point off of Buckley Road was lined up with the existing Adams County residential neighborhood to the west to mitigate traffic impacts. Access points, traffic studies, and overall site design will be reviewed and approved in future development plan applications.

Criteria (g): Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;

The property is within the South Adams County Water and Sanitation District, Brighton Fire District, and the Northern Infrastructure General Improvement District. Xcel Energy, United Power, and Commerce City Public Works/Engineering reviewed the request and had no opposition.

Criteria (h): As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and

Not applicable as there is no phasing plan.

Criteria (i): The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

A PUD is the only application type that would allow for the creation of specific planning areas that have specific land uses and development standards for each area to create a unique development. To accomplish the horizontal mixed-use product that is being proposed, a PUD is the best technique to allow for the range of land uses throughout the property.

CONSIDERATIONS FOR REQUESTED PUD AMENDMENT

1. The current PUD only allows for commercial land uses
2. The comprehensive plan designates this area as a Community Commercial Center
3. High-density residential is an appropriate use within a Community Commercial Center
4. The commercial planning areas are along E 120th Ave and Buckley
5. The design standards will guide the overall design of future development
6. Future Subdivision Plats and PUD Permits will finalize the site layout and details

POTENTIAL MOTIONS

1. Approval
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24** meets the criteria of the Land Development Code and based upon such finding, recommend that the City Council approve the PUD Amendment.
 - b. City Council
 - i. I move that the City Council enter a finding that the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24** meets the criteria of the Land Development Code and based upon such finding, approve the PUD Amendment.

2. Approval with conditions
 - a. Planning Commission

I move that the Planning Commission enter a finding that the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24**, meets the criteria of the Land Development Code with conditions, and based upon such finding, recommend that the City Council approve the PUD Amendment with the following conditions:
Proposed conditions
 - b. City Council

I move that the City Council enter a finding that the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24**, meets the criteria of the Land Development Code with conditions, and based upon such finding, approve the PUD Amendment with the following conditions:
Proposed conditions

3. Denial
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24** fails to meet the criteria of the Land Development Code and based upon such finding, recommend that the City Council deny the PUD Amendment.
 - b. City Council
 - i. I move that the City Council enter a finding that the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24** fails to meet the criteria of the Land Development Code and based upon such finding, deny the PUD Amendment.

4. Continuance

a. Planning Commission

- i. I move that the Planning Commission continue the public hearing of the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24** to:

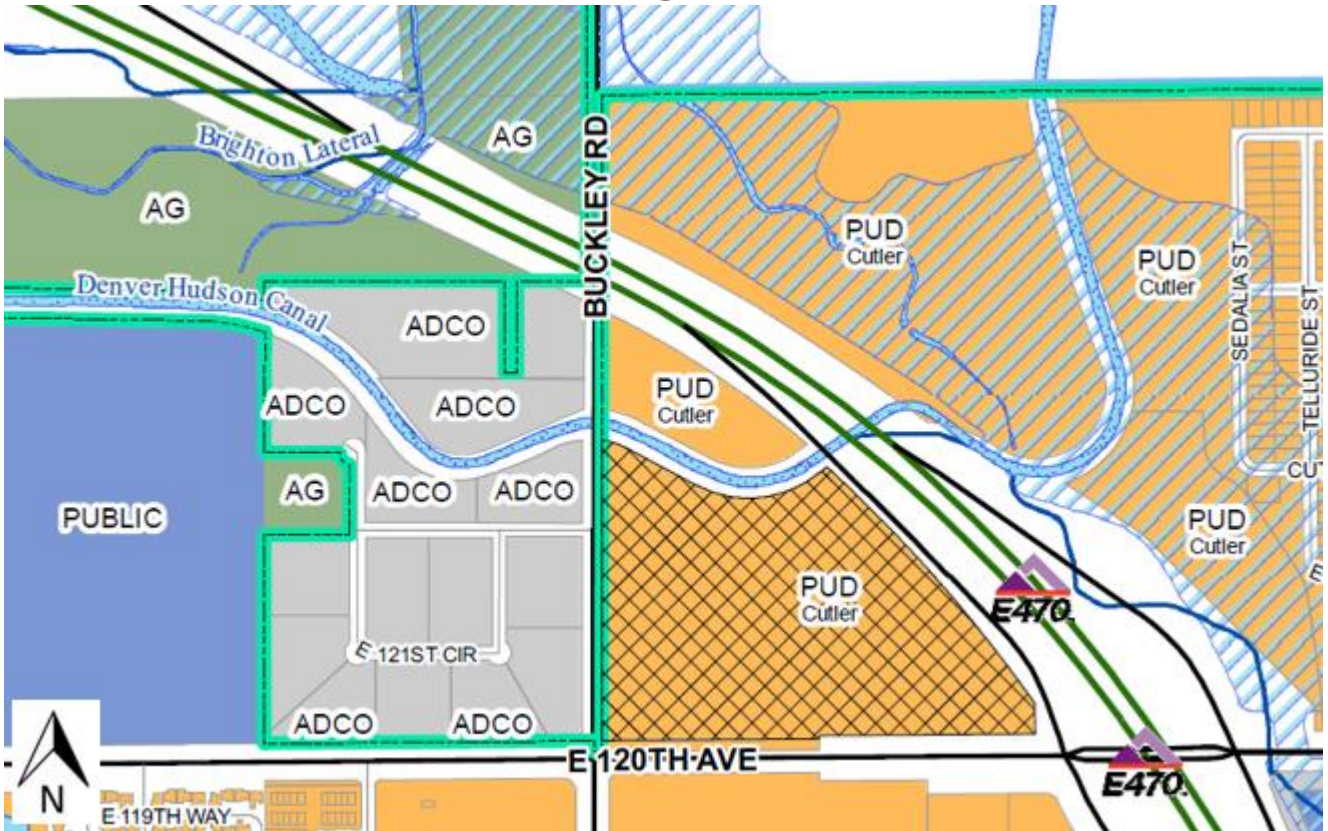
1. The next regularly scheduled Planning Commission meeting; or
2. A date certain.

b. City Council

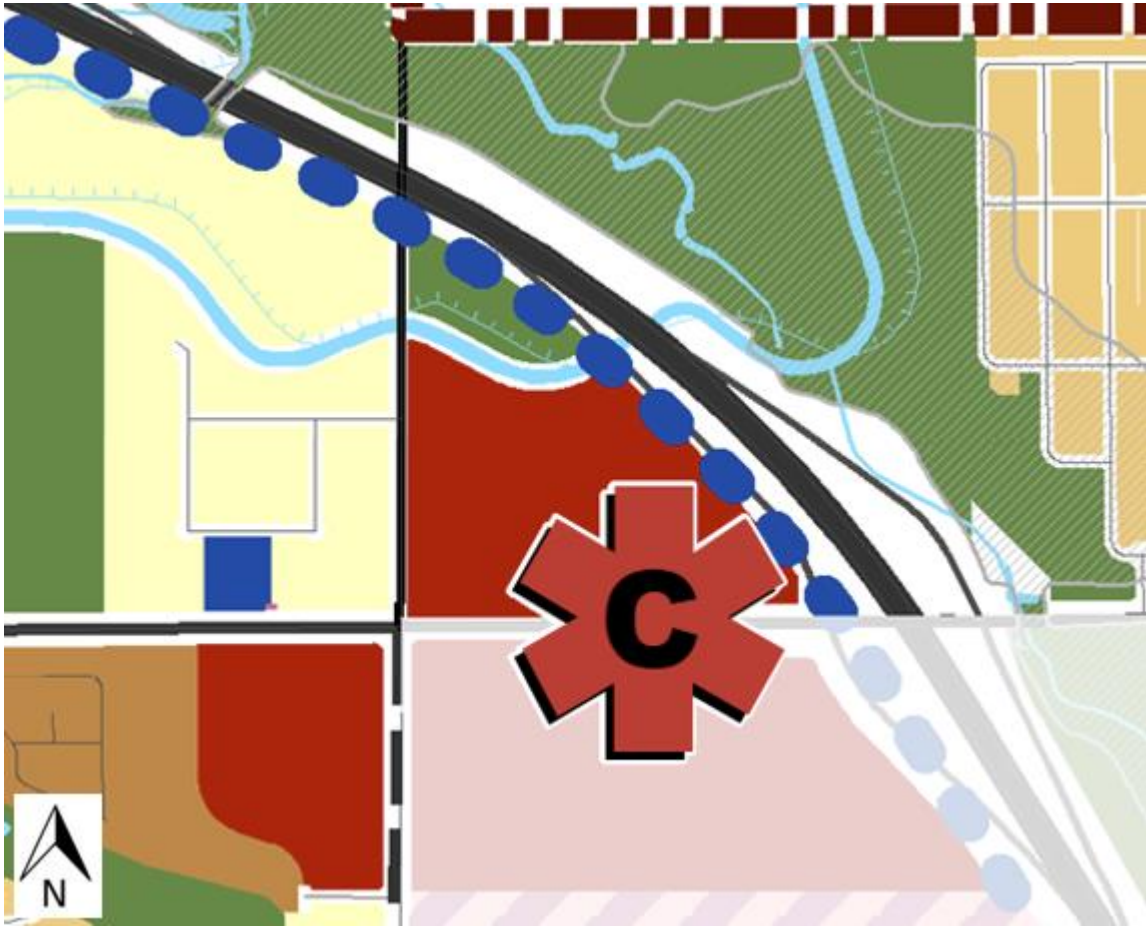
- i. I move that the City Council continue the public hearing of the requested **PUD Zone Document Amendment** for the property located **at the northeast corner of Buckley Road and East 120th Avenue** contained in case **Z-792-05-24** to:

1. The next regularly scheduled City Council meeting; or
2. A date certain.

Zoning Map



Future Land Use Plan



Aerial Map

